

SENATE BILL NO. 271

BY SENATORS NEVERS, LONG, MCPHERSON, RISER, SMITH, THOMPSON AND  
WALSWORTH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be  
comprised of R.S. 3:4421 through 4425, relative to creation of the "Forestry Product  
Fairness Act"; to provide for legislative purpose; to provide relative to incentives to  
directly support the purchase of forestry products; to provide for promulgation of  
rules and regulations; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950,  
comprised of R.S. 3:4421 through 4425 is hereby enacted to read as follows:

**PART IX. FORESTRY PRODUCT FAIRNESS ACT**

**§4421. Short title**

**This Part shall be cited as the "Forestry Product Fairness Act."**

**§4422. Purpose**

**The Louisiana Legislature recognizes the enormous contribution that the  
Louisiana forest products industry makes to the state. The continued health of  
the industry is vital to Louisiana's economic well-being. A fair and equitable  
process for awarding state incentives to the forest products industry is  
necessary to maintain economic viability. The purpose of this Part is to provide  
for a procedure that will ensure an open process for the awarding of incentives,  
that encourages the use of forest products but does not unfairly advantage one  
segment of the forest products industry over another, and that does not put  
existing businesses at a competitive disadvantage.**

1           **§4423. Definitions**

2                   **As used in this Part, the following terms shall have the meanings**  
3           **ascribed below:**

4                   **(1) "Commissioner" means the Louisiana commissioner of agriculture**  
5           **and forestry.**

6                   **(2) "Forest products" include the following:**

7                   **(a) Products that are derived from woody biomass.**

8                   **(b) Forest wood waste, including residual tops and limbs of trees, unused**  
9           **cull trees, pre-commercial thinnings, and wood or debris from noncommercial**  
10           **tree species, slash or brush.**

11                   **(c) Any wood chips or fibers or other organic substances and any**  
12           **inorganic substances recovered from forest wood waste or produced as**  
13           **byproducts of processing wood.**

14                   **(3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax**  
15           **deduction, rebate, investment, contract, or grant made available by the state to**  
16           **directly support the purchase of forestry products. "Incentives" shall not mean**  
17           **any such benefit available under statutorily provided programs including**  
18           **Louisiana Quality Jobs Program Act (R.S. 51:2451, et seq.), Louisiana**  
19           **Enterprise Zone Act (R.S. 51:1781, et seq.), Industry Assistance (R.S. 47:4301,**  
20           **et seq.), Industrial Tax Exemption (La. Const. Art. VII, Sec. 21(F), Economic**  
21           **Development Award Program (R.S. 51:2341), Economic Development Loan**  
22           **Program (R.S. 51:2312), Tax Equalization (R.S. 47:3201, et seq.), Rapid**  
23           **Response Fund (R.S. 51:2361), and Mega-Project Development Fund (R.S.**  
24           **51:2365).**

25           **§4424. Distribution of incentives and funds**

26                   **Incentives to directly support the purchase of forestry products shall be**  
27           **approved by the commissioner through a fair and equitable process prior to**  
28           **being awarded. The process shall be open to individuals and both new and**  
29           **existing partnerships, corporations, associations, or other legal entities.**

30           **§4425. Rules and regulations**

1                    The commissioner and the secretary of the Department of Economic  
2                    Development shall jointly promulgate rules and regulations in accordance with  
3                    the Administrative Procedures Act, subject to oversight by the House  
4                    Committee on Ways and Means and Senate Committee on Revenue and Fiscal  
5                    Affairs, for the administration and enforcement of this Part.

6                    Section 2. This Act shall become effective upon signature by the governor or, if not  
7                    signed by the governor, upon expiration of the time for bills to become law without signature  
8                    by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
9                    vetoed by the governor and subsequently approved by the legislature, this Act shall become  
10                   effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_